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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 18TH DAY OF JUNE 1998

B E F O R E

THE HON'BLE MR. JUSTICE H.L. DATTU

WRIT PETITION NO.17955/1998

BETWEEN:

1. Chandrashekhar, S/o Putta-
nanjappa, Marketing Executive,
K.Hosakote Co-operative Society,
Fair Price Depot, aged 40 years,
R/o Sakaleshpur, Alur Taluk,
Hassan Dist.
 2. Sri. Basavegowda,
Secretary, K.Hosakote
Co-operative Society,
Fair Price Depot, Alur
Taluk, Hassan Dist.
- ... Petitioners.

(By Ms.Pramila Nesargi for Petrs.)

AND:

1. State of Karnataka,
by its Secretary, Dept.
of Food & Civil Supplies,
M.S.Buildings, Bangalore-1.
2. Deputy Commissioner,
(Food Dept.) Hassan Dist.,
Hassan.

... 2/-

3. The Tahsildar,
Alur Taluk, Hassan Dist. ... Respondents.

(By Sri S.Udayashankar, AGA, for R-1 to R-3.)

This Writ Petition filed under Articles 226 & 227 of the Constitution of India with an affidavit praying to: Quash vide Ann.A dated 5-5-98 passed by R2 and etc.

This Writ Petition coming on for preliminary hearing this day, the Court made the following:

O R D E R

Petitioner aggrieved by the orders made by the Deputy Commissioner dated 5.5.1998 under the provisions of the Essential Commodities Act, 1955, is before this Court.

The order so made by the Deputy Commissioner is appealable under Sec.6(c) of the said Act. In my view, the petitioner, without exhausting the alternate, effective and efficacious remedy provided under the statute itself, could not have approached this Court being aggrieved by the orders made under Sec.6(A) of the Act.

In that view of the matter, this writ petition is disposed of reserving liberty to the petitioner to prefer an appeal against the orders made by the

... 3/-

Deputy Commissioner within a month from today.
If such an appeal is filed within the time
granted by this Court, the appellate authority
shall decide the same on merits without reference
to the period of limitation. Ordered accordingly.

Sd/- Judge.

bsr(o.s.)

r.by: D.

c.by: L
3/7/98

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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

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